

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

RICHARD RAIMUNDI MORALES  
NORALYN TIRADO RESTO

DEBTOR(S)

CASE NUMBER: 10-05956 ESL

CHAPTER 13

**MOTION TO INFORM AMENDED PLAN**

TO THE HONORABLE COURT:

**NOW COMES** the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. That the reason for amendment is to increase the base of the plan.

**WHEREFORE**, it is respectfully requested to this Honorable Court to take notice of the aforementioned.

**RESPECTFULLY SUBMITTED.**

**I HEREBY CERTIFY** that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mail to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

**In San Juan, Puerto Rico this 3RD day of MAY of 2011.**

JPC LAW OFFICE

Jose M Prieto Carballo, Esq  
P.O. Box 363565  
San Juan, P.R. 00936-3565  
Tel (787) 607-2066 & Tel (787) 607-2166  
jpc@jpclawpr.com

By: /s/ Jose M Prieto Carballo, Esq.

United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. 10-05956-13

RAIMUNDI MORALES, RICHARD & TIRADO RESTO, NORALYN

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION		<input checked="" type="checkbox"/> AMENDED PLAN DATED: <u>5-3-2011</u> Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other																																																																								
<b>I. PAYMENT PLAN SCHEDULE</b>		<b>II. DISBURSEMENT SCHEDULE</b>																																																																								
<table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 15%;">\$</td><td style="width: 25%;">1,250.00 x</td><td style="width: 10%;">6 =</td><td style="width: 10%;">\$</td><td style="width: 40%;">7,500.00</td></tr><tr><td>\$</td><td>1,600.00 x</td><td>6 =</td><td>\$</td><td>9,600.00</td></tr><tr><td>\$</td><td>2,100.00 x</td><td>12 =</td><td>\$</td><td>25,200.00</td></tr><tr><td>\$</td><td>2,800.00 x</td><td>12 =</td><td>\$</td><td>33,600.00</td></tr><tr><td>\$</td><td>3,500.00 x</td><td>12 =</td><td>\$</td><td>42,000.00</td></tr><tr><td></td><td><u>4,400</u></td><td><u>12</u></td><td></td><td><u>52,800.00</u></td></tr><tr><td colspan="3" style="text-align: right;">TOTAL: \$</td><td></td><td>170,700.00</td></tr></table>		\$	1,250.00 x	6 =	\$	7,500.00	\$	1,600.00 x	6 =	\$	9,600.00	\$	2,100.00 x	12 =	\$	25,200.00	\$	2,800.00 x	12 =	\$	33,600.00	\$	3,500.00 x	12 =	\$	42,000.00		<u>4,400</u>	<u>12</u>		<u>52,800.00</u>	TOTAL: \$				170,700.00	<p>A. ADEQUATE PROTECTION PAYMENTS OR \$ _____</p> <p>B. SECURED CLAIMS:</p> <p><input type="checkbox"/> Debtor represents no secured claims.</p> <p><input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows:</p> <p>1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS:</p> <table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 33%;">Cr. BPPR</td><td style="width: 33%;">Cr. _____</td><td style="width: 33%;">Cr. _____</td></tr><tr><td># 71010019048068</td><td># _____</td><td># _____</td></tr><tr><td>\$ _____</td><td>\$ 15,000.00</td><td>\$ _____</td></tr></table> <p>2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims:</p> <table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 33%;">Cr. IRS</td><td style="width: 33%;">Cr. _____</td><td style="width: 33%;">Cr. _____</td></tr><tr><td># 66-05249999</td><td># _____</td><td># _____</td></tr><tr><td>\$ _____</td><td>\$ 129,098.48</td><td>\$ _____</td></tr></table> <p>3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL:</p> <table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 33%;">Cr. _____</td><td style="width: 33%;">Cr. _____</td><td style="width: 33%;">Cr. _____</td></tr><tr><td># _____</td><td># _____</td><td># _____</td></tr><tr><td>\$ _____</td><td>\$ _____</td><td>\$ _____</td></tr></table> <p>4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder:</p> <p>5. <input type="checkbox"/> Other: _____</p> <p>6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: BPPR</p> <p>C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2)</p> <p>D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims.</p> <p>1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____</p> <p style="margin-left: 100px;"><input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____</p> <table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 33%;">Cr. _____</td><td style="width: 33%;">Cr. _____</td><td style="width: 33%;">Cr. _____</td></tr><tr><td># _____</td><td># _____</td><td># _____</td></tr><tr><td>\$ _____</td><td>\$ _____</td><td>\$ _____</td></tr></table> <p>2. Unsecured Claims otherwise receive PRO-RATA disbursements.</p>		Cr. BPPR	Cr. _____	Cr. _____	# 71010019048068	# _____	# _____	\$ _____	\$ 15,000.00	\$ _____	Cr. IRS	Cr. _____	Cr. _____	# 66-05249999	# _____	# _____	\$ _____	\$ 129,098.48	\$ _____	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____
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<p>Additional Payments:</p> <p>\$ 56,000.00 to be paid as a LUMP SUM within 60 months with proceeds to come from:</p> <p><input type="checkbox"/> Sale of Property identified as follows:</p> <p><input checked="" type="checkbox"/> Other:</p> <p>1ST LUMP SUM WILL COME FROM FUNDS RETURNED FROM BPPR. 2ND FROM FUTURE TAX REFUNDS RECIEVED DURING THE LIFE OF THE PLAN</p> <p>Periodic Payments to be made other than, and in addition to the above:</p> <p>\$ _____ x _____ = \$ _____</p>		<p>PROPOSED BASE: \$ 226,700.00</p>																																																																								
<p style="text-align: center;"><b>III. ATTORNEY'S FEES</b> (Treated as § 507 Priorities)</p> <p>Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,389.00</p>		<p><b>OTHER PROVISIONS:</b> (Executory contracts; payment of interest to unsecureds, etc.)</p> <p>FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5).</p> <p>ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330.</p> <p>TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE.</p> <p>DEBTORS ASSUME LEASE WITH BPPR (NISSAN ARMADA &amp; NISSAN ALTIMA)</p> <p>DEBTOR WILL CURE ARREARS WITH BPPR AUTO LEASE OF ARMADA AND ALTIMA WITH THE REPAYMENT PLAN CLAIM #8 AND CLAIM #9</p>																																																																								
Signed: <u>/s/ RICHARD RAIMUNDI MORALES</u> Debtor																																																																										
<u>/s/ NORALYN TIRADO RESTO</u> Joint Debtor																																																																										

Attorney for Debtor Jose Prieto

Phone: (787) 607-2066

IN RE RAIMUNDI MORALES, RICHARD & TIRADO RESTO, NORALYN  
Debtor(s)

Case No. 10-05956-13

**CHAPTER 13 PAYMENT PLAN**  
**Continuation Sheet - Page 1 of 1**

Cr

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\$

**Executory Contracts - Assumed:**

BPPR ALTIMA  
BPPR ARMADA

**Executory Contracts - Rejected:**

BPPR ISUZU

Label Matrix for local noticing  
0104-3  
Case 10-07163-13  
District of Puerto Rico  
Old San Juan  
Sat Aug 7 13:50:57 AST 2010

BPPR  
P O BOX 366818  
SAN JUAN, PR 00936-6818

SIGFRIDO DELGADO  
P O BOX 22150  
SAN JUAN, PR 00931-2150

RUBEN MALDONADO RAMIREZ  
P O BOX 2176  
SAN JUAN, PR 00960-2176

US Bankruptcy Court District of P.R.  
U.S. Post Office and Courthouse Building  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

DEPT DE TRANSPORTACION  
Y OBRAS PUBLICAS  
P O BOX 41269  
SAN JUAN, PR 00940-1269

JOSE M PRIETO CARBALLO  
JPC LAW OFFICE  
PO BOX 363565  
SAN JUAN, PR 00936-3565

End of Label Matrix  
Mailable recipients 9  
Bypassed recipients 0  
Total 9

ASUME  
PO BOX 70376  
SAN JUAN, PR 00936-8376

DEPT HACIENDA DE PR  
P O BOX 9024140  
SAN JUAN, PR 00902-4140

MONSITA LECAROS ARIBAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901-1938